

REMARKS

The Applicant has carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

The Applicant originally submitted Claims 1-20 in the application, and in a prior response, elected to prosecute Claims 1-11. In the present response the claims have not been amended. Accordingly, Claims 1-3 and 5-11 are currently pending in the application.

I. Rejection of Claims 1-3 and 5-11 under 35 U.S.C. §103

The Examiner rejects Claims 1-3, 5 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,551,935 to Sinha, *et al.* ("Sinha") in view of U.S. Patent 3,874,129 to Deckert *et al.* ("Deckert"). Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sinha in view of Deckert and further in view of U.S. Patent 4,968,381 to Prigge, *et al.* ("Prigge"). Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sinha in view of Deckert, and further in view of U.S. Patent 5,906,949 to Sato ("Sato").

The Applicant maintains that the combination of Sinha in view of Deckert do not teach or suggest all the elements recited in Claim 1 and its dependent claims, and is not a proper combination.

The Examiner acknowledges that Sinha fails to teach "an abrasive particle stabilizer, wherein said abrasive particle stabilizer comprises molecules that are equivalent to repeating units of polymers comprising abrasive particles in said slurry," as recited in Claim 1, and then cites Deckert (Column 1, lines 4-12) for the proposition of teaching this element of the claim.

The Examiner then argues that Deckert discloses polishing agents comprising silica or silicon dioxide and silicic salt and argues that using this combination in the same manner as claimed by the Applicant would result in the abrasive particle stabilizer of claim 1. The Examiner further argues that one of ordinary skill in the art would modify Sinha's polishing agent by employing silicic and

silicates as taught by Deckert (column 1, lines 9012) for the purposes of smoothing surfaces of semiconductors that are to be used as components or starting materials for the production of electronic parts.

In response, the Applicant respectfully submits that the recited section of Deckert does not teach or suggest a slurry that has abrasive particles and an abrasive particle stabilizer, where the abrasive particle stabilizer comprises molecules that are equivalent to repeating units of polymers comprising the abrasive particles. Moreover, Examiner does not cite any portions of Sinha or Deckert that teach or suggest these, or other advantages, associated with having an abrasive particle stabilizer that comprises molecules equivalent to repeating units of polymers comprising abrasive particles. The Applicant maintain that there is no such recognition by these references, as illustrated by the Examiner's need to cite Sinha for the proposition of teaching abrasive particles, and then to cite a different reference, Deckert, for the proposition of teaching abrasive particle stabilizers. Rather, the Examiner has used hindsight using the Applicant's disclosure as a template, to arrive at Deckert, because Deckert presents a list of polishing agents that include quartz, silicic acid, silicates and florosilicates.

Additionally, the Applicant submits that the combination of Sinha in view of Deckert is improper because one of ordinary skill in the art would no be motivated to combine these references. Like Prigge, Deckert is polishing native semiconductor wafer surfaces (*see e.g.*, Column 1, Lines 4-5; Column 2, Lines 44-45; Column 3, Lines 7, 16, 28 of Deckert), not copper conductive structures (*see e.g.*, Column 1, Lines 8-17; Fig 3 of Sinha). Also like Prigge, Deckert's goal is to obtain a haze-free optically smooth surface (Column 1, Lines 55-58 of Deckert).

The Office Action does not explain why one who is polishing a metal surface would be motivated obtain a haze-free wafer surface by modifying Sinha's slurry according to Deckert or

Prigge. The Applicant contend that there is no such motivation, because at the stage of polishing taught by Sinha, the wafer is already covered by metal layers (*see e.g.*, copper layer 20 and tungsten-containing barrier layer 18, as shown in Fig. 3 of Sinha). Therefore, adding Deckert's or Prigge's polishing agents will not produce a haze-free wafer because the slurry does not polish the wafer surface.

The Applicant therefore respectfully requests the Examiner to withdraw the rejection and allow Claims 1-3, 5 and 8-11 to issue.

III. Conclusion

In view of the foregoing amendment and remarks, the Applicant sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a timely Notice of Allowance for Claims 1-3 and 5-11.

It is not believed that any fees are due regarding this matter. However, the Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 08-2395.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,
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